



General Assembly

January Session, 2007

Committee Bill No. 683

LCO No. 5053

05053SB00683PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING EARLY CHILDHOOD LEAD POISONING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (a) of section 10-76d of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) (1) In accordance with the regulations and procedures
5 established by the Commissioner of Education and approved by the
6 State Board of Education, each local or regional board of education
7 shall provide the professional services requisite to identification of
8 children requiring special education, identify each such child within its
9 jurisdiction, determine the eligibility of such children for special
10 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe
11 appropriate educational programs for eligible children, maintain a
12 record thereof and make such reports as the commissioner may
13 require. With respect to children described in subparagraph (C) of
14 subdivision (5) of section 10-76a who are found to have a level of lead
15 in the blood equal to or greater than ten micrograms per deciliter of
16 blood, on and after September 1, 2007, such record shall include the
17 beginning and ending dates of all special education services. No child

18 may be required to obtain a prescription for a substance covered by the
19 Controlled Substances Act, 21 USC 801 et seq., as amended from time
20 to time, as a condition of attending school, receiving an evaluation
21 under section 10-76ff or receiving services pursuant to sections 10-76a
22 to 10-76h, inclusive, or the Individuals with Disabilities Education Act,
23 20 USC 1400 et seq., as amended from time to time.

24 Sec. 2. Section 17a-248d of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective from passage*):

26 (a) The lead agency, in coordination with the participating agencies
27 and in consultation with the council, shall establish and maintain a
28 state-wide birth-to-three system of early intervention services pursuant
29 to Part H of the Individuals with Disabilities Education Act, 20 USC
30 1471 et seq., for eligible children and families of such children.

31 (b) The state-wide system shall include a system for compiling data
32 on the number of eligible children in the state in need of appropriate
33 early intervention services, the number of such eligible children and
34 their families served, the types of services provided and other
35 information as deemed necessary by the lead agency. With respect to
36 children found to have a level of lead in the blood equal to or greater
37 than ten micrograms per deciliter of blood, on and after September 1,
38 2007, such data shall include the beginning and ending dates of all
39 early intervention services. The commissioner shall review and
40 analyze the data collected pursuant to this subsection, for children
41 from birth to three years of age with elevated blood lead levels, to
42 assess individual growth as well as the effectiveness of early
43 intervention services for such children.

44 (c) The state-wide system shall include a comprehensive child-find
45 system and public awareness program to ensure that eligible children
46 are identified, located, referred to the system and evaluated. The
47 following persons and entities, within two working days of identifying
48 a child from birth to three years of age suspected of having a

49 developmental delay or of being at risk of having a developmental
50 delay, shall refer the parent of such child to the early intervention
51 system unless the person knows the child has already been referred:
52 (1) Hospitals; (2) child health care providers; (3) local school districts;
53 (4) public health facilities; (5) early intervention service providers; (6)
54 participating agencies; and (7) such other social service and health care
55 agencies and providers as the commissioner specifies in regulation.

56 (d) The commissioner, in coordination with the participating
57 agencies and in consultation with the council, shall adopt regulations,
58 pursuant to chapter 54, to carry out the provisions of section 17a-248
59 and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a.

60 (e) The state-wide system shall include a system for required
61 notification to any local or regional school board of education no later
62 than January first of each year of any child who resides in the local or
63 regional school district, participates in the state-wide program and will
64 attain the age of three during the next fiscal year. Such system of
65 notification shall include provisions for preserving the confidentiality
66 of such child and of the parent or guardian of such child.

67 Sec. 3. (NEW) (*Effective from passage*) The Department of Education
68 shall review and analyze the records collected by local and regional
69 boards of education pursuant to subdivision (1) of subsection (a) of
70 section 10-76d of the general statutes, as amended by this act, for
71 children described in subparagraph (C) of subdivision (5) of section 10-
72 76a of the general statutes with elevated blood lead levels of ten
73 micrograms per deciliter or greater, to assess individual growth as well
74 as the effectiveness of special education programs for such children. A
75 copy of such assessment shall be provided to the Department of Public
76 Health.

77 Sec. 4. (NEW) (*Effective from passage*) Not later than January 1, 2008,
78 the Department of Education shall develop guidelines for the
79 management of students with a blood lead level equal to or greater

80 than ten micrograms per deciliter. Such guidelines shall include, but
 81 need not be limited to: (1) A plan for identifying and evaluating such
 82 students who may qualify as health impaired due to lead poisoning
 83 under the federal Individuals with Disabilities Education Act and
 84 Section 504 of the federal Rehabilitation Act of 1973, and (2) education
 85 and training for school personnel on the management of such students,
 86 including, but not limited to, the establishment of an in-service
 87 training program for school health care providers who provide
 88 services to students identified pursuant to subdivision (1) of this
 89 section. Not later than September 1, 2008, each local and regional
 90 board of education shall implement a plan based on the guidelines
 91 developed pursuant to this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-76d(a)(1)
Sec. 2	<i>from passage</i>	17a-248d
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section

Statement of Purpose:

To take steps to eradicate early childhood lead poisoning and to minimize adverse effects on early childhood development.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. SLOSSBERG, 14th Dist.; SEN. HARP, 10th Dist.
 SEN. MEYER, 12th Dist.

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